

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

SARAH CONNER, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

ABBOTT LABORATORIES INC.,

Defendant.

Case No.: 3:21-cv-01463-SMY

ABBOTT LABORATORIES INC.’S MOTION TO DISMISS PLAINTIFF’S CLASS ACTION COMPLAINT PURSUANT TO FED. R. CIV. P. 9(b), 12(b)(1), AND 12(b)(6)

Defendant Abbott Laboratories Inc. (“Abbott”), by and through its undersigned attorneys, moves the Court for an order dismissing Plaintiff’s Class Action Complaint, ECF No. 1, pursuant to Federal Rules of Civil Procedure 9(b), 12(b)(1), and 12(b)(6). For the reasons set forth in its accompanying memoranda, Abbott respectfully requests that the Court: (i) dismiss with prejudice all of Plaintiff’s claims under Fed. R. Civ. P. 9(b) and 12(b)(6) for failure to state a claim; (ii) dismiss without leave to amend Plaintiff’s non-Illinois claims and her claims for injunctive relief under Fed. R. Civ. P. 12(b)(1) for lack of standing; and/or (iii) grant such relief as the Court deems to be just and proper. Abbott thus respectfully asks that the Court dismiss Plaintiff’s Class Action Complaint, ECF No. 1, in its entirety.

Dated: April 4, 2022

Respectfully submitted,

/s/ W. Jason Rankin

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Attorneys for Abbott Laboratories Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 4, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ W. Jason Rankin _____